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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/856,719	05/28/2004	Masaki Komatsu	P/1929-93	1011

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OSTROLENK FABER GERB & SOFFEN  
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NEW YORK, NY 100368403

EXAMINER
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REYES, MARIELA D

ART UNIT	PAPER NUMBER
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2169

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/22/2006	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/767,468

Applicant(s)

HAN, HEE-CHUL

Examiner

Mariela D. Reyes

Art Unit

2169

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 August 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/18/2005</u>  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 4 and 7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The above-mentioned claims make reference to the search engines included in the search engine table, however the fact that the search engines table is a list of a plurality of search engines is disclosed in claim 2. Neither of the above-mentioned claims is dependent on claim 2 therefore rendering the claims indefinite because of the lack of antecedent basis.

Claims 5 and 8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The above-mentioned claims use the phrases "if" which renders the claims indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beach et al (International Publication Number WO 01/47238) in view of Ranger (US Patent 5,999,940).

With respect to independent claim 1:

Beach teaches **checking electronic program guides and search engine tables contained in broadcast signals received from at least one broadcast company** (Paragraph [0018], discloses that a unit is in contact with a server during which time the current program information is downloaded to the unit), **composing a total electronic program guide and search engine tables** (Paragraphs [0036]-[0042]), discloses that the information received in the broadcast signals has to be indexed for easier searching), **setting a keyword, the setting of the keyword comprising selecting a name of a program as the keyword** (Paragraph [0018] and Fig.2, disclose the user entering a search term where the search term can be a program title) and **executing a default search engine and displaying search results obtained by the default search engine using the keyword** (Fig. 4, discloses how the search engine is going to be executed and obtaining the results from said search engine).

Beach doesn't explicitly disclose that **the search results are a plurality of hyperlinked web pages**.

Ranger teaches that **the search results are a plurality of hyperlinked web pages** (Col. 1 Lines 35-39, discloses that the search results from a web search would be presented as hyperlinks).

It would be obvious for someone with ordinary skill in the art at the time of the invention to combine Ranger's teachings into Beach motivated by the fact that this would make the users participation easier given that this kind of convention has been used for a long time, and most users would be accustomed to this kind of search results representation.

With respect to claim 2:

Beach teaches that **each of the search engine tables is a list of a plurality of search engines which each of the broadcasting companies selects among existing search engines** (Fig. 2 and Paragraph [0019], discloses having various search options available).

With respect to claims 3 and 4:

Beach teaches that **the search engines included in the search engine table are input from a user and registered to a search engine list** (Fig. 5 and Fig.6, disclose that the user can input the search engine that they want to user).

With respect to claim 5:

Beach teaches **receiving the keyword from a user if a program is not being broadcasted and the electronic program guide is not executed** (Fig. 4, Element 44, discloses receiving the keyword from a user where the electronic program guide doesn't need to be executed because the search terms are already indexed in a database).

With respect to claim 6:

Beach teaches **the medium enabling a user to access the hyperlinked web pages according to the user's selection** (Fig. 4, discloses that after searching the user can select one of the possibilities to see more information).

With respect to claim 7:

Beach teaches **the medium displaying all of the search engines shown in the search engine tables in addition to a web page of the search results.** (Fig. 6, discloses that both the search results and the search engines would be displayed together).

With respect to claim 8:

Beach teaches that **if another search engine is selected among the search engine list, search results obtained by the selected search engine using the keyword are displayed** (Fig. 6, discloses that after a search is done you can narrow the search by specifying a new search)

With respect to claim 9:

Beach teaches that **the setting of the keyword comprises selecting a name of a program that is being broadcasted through the medium or that is selected in an electronic program guide, which is being executed as the keyword.** (Fig.4,

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discloses that the user can access information of a program that is being broadcasted through the medium).

With respect to claim 10:

Beach teaches that **the medium comprises a digital television receiving advanced television systems committee signal and having access to the internet** (Paragraph [0018], discloses that a client unit is connected to the internet through a server to download the electronic program guides).

With respect to claim 11:

Beach teaches that **the checking comprises checking electronic program guides and search engine tables contained in broadcast signals received from each of a plurality of broadcasting companies** (Paragraph [0018], discloses that that the electronic program guides are received via broadcast signals from the vendors).

With respect to claim 12:

Beach teaches **judging if an electronic magazine program function is called by a user, wherein the checking is performed only if the electronic magazine function is called** (Fig. 2, discloses that the user accesses the menu and that the checking of the database is only done then).

With respect to claim 13:

Beach teaches **separating electronic program guides and search engine tables from the received broadcast signals** (Paragraph [0027], discloses that the program information data is downloaded from the broadcast signals and imported into a database where it will be classified), **removing duplicative search engines from the separated search engine tables** ((Paragraphs [0036]-[0042], discloses that the database is indexed therefore removing duplicate search engines) and **including the separated electronic program guides and search engines, which were not removed, in the total electronic program guide and search engine table** (Paragraphs [0036]-[0042], discloses that after the indexing process the electronic program guides will be complete and without repetition).

With respect to claim 14:

Beach teaches that **the default search engine is set by the medium** (Paragraph [009], discloses that the medium presents a default search engine to the user).

With respect to claim 15:

Beach teaches that **the default engine is set by the user** (Fig. 1, discloses that the user can choose the search engine to be used).



**Conclusion**


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mariela D. Reyes whose telephone number is (571) 270-1006. The examiner can normally be reached on M - F 7:30- 5:00 East time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christian Chace can be reached on (571)272-4190. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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